

REMARKS

In response to the final Office Action of February 1, 2007, Applicant asks that all pending claims presently under consideration be allowed in view of the following remarks. Claims 39-62 are pending and claims 39 and 40 were previously withdrawn by the Examiner. Of the pending claims, claims 41-60 are presently under consideration, with claims 41, 49, and 57 being independent.

Claim 57 was rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. In particular, claim 57 is said to recite "software per se" because claim 57 includes limitations of "System for performing a search of network accessible contents" and "means for," which are said to not include "physical structure of the machine in terms of its hardware or hardware and software combination." See final Office Action of February 1, 2007 at page 3. Applicant respectfully disagrees.

Features of claim 57 recite the phrase "means for" in combination with a specific function. Therefore, the features properly invoke interpretation under 35 U.S.C. § 112, sixth paragraph. See M.P.E.P. § 2181. Under 35 U.S.C. § 112, sixth paragraph, claim limitations expressed in means-plus-function language "shall be construed to cover the corresponding structure . . . described in the specification and equivalents thereof." 35 U.S.C. § 112, sixth paragraph; M.P.E.P. § 2181. Therefore, because claim 57 is properly interpreted as covering the corresponding *structure*, it does not recite "software per se" as asserted by the office action. Accordingly, the rejection under 35 U.S.C. § 101 should be withdrawn.

With respect to 35 U.S.C. § 101 rejection of independent claim 57, Applicant has responded succinctly to the rejection. If it is apparent that Applicant fails to appreciate the Examiner's concerns with respect to the 35 U.S.C. § 101 rejection of independent claim 57, Applicant respectfully requests the Examiner to call Applicant's representative to discuss the rejection.

Claims 41-57 were rejected under 35 U.S.C. § 102(e) as being anticipated by Dunworth (U.S. Patent No. 5,930,474). Applicant respectfully requests reconsideration and withdrawal of this rejection because Dunworth fails to describe or suggest the subject matter of the independent claims, as discussed more fully below.

As amended, independent claim 41 recites a method for performing a search of network accessible content that includes, inter alia, storing, within an entry in an electronic data store, web page identifying data for a particular web page in association with a business category code that is associated with an extracted business name and geographic data associated with the particular web page, thereby enabling identification of the web page identifying data when performing subsequent searches based on user queries associated with the business category code. The method also includes receiving a query from a user and searching the stored business category codes based on the received query.

Applicant requests reconsideration and withdrawal of the rejection of claim 41 because Dunworth fails to describe or suggest at least storing, within an entry in an electronic data store, web page identifying data for a particular web page in association with a business category code that is associated with an extracted business name and geographic data associated with the particular web page, thereby enabling identification of the web page identifying data when performing subsequent searches based on user queries associated with the business category code, and searching the stored business category codes based on a received query, as recited in amended independent claim 41.

Rather, Dunworth describes using a geography database 210 and a yellow pages list description ("YPLD") configuration database 328 to service a geographic query by a user. See Dunworth at col. 10, lines 41-58. The geographic database 210 stores geographic information to be displayed in a search and the YPLD configuration database 328 stores display format information. See Dunworth at col. 8, lines 49-50 and col. 10, lines 51-56. In performing a search in response to receiving a geographic query by a user, the system of Dunworth searches the geography database 210 and generates an HTML page of search references by processing the information from the geography database 210 resulting from the search with the display format information included in the YPLD configuration database 328. See Dunworth at col. 10, lines 41-58 and col. 12, lines 46-59. Dunworth, however, does not describe the process with which information is stored in geography database 210 and the YPLD configuration database 328, but instead presupposes existence of the geographic information in the geography database 210 and the display format information in the YPLD configuration database 328 for use in performing a search. Thus, Dunworth does not describe or suggest storing, within an entry in an electronic

data store, web page identifying data for a particular web page in association with a business category code that is associated with an extracted business name and geographic data associated with the particular web page, thereby enabling identification of the web page identifying data when performing subsequent searches based on user queries associated with the business category code, as recited in amended independent claim 41.

Moreover, because Dunworth does not describe or suggest storing, within an entry in an electronic data store, web page identifying data for a particular web page in association with a business category code that is associated with an extracted business name and geographic data associated with the particular web page, thereby enabling identification of the web page identifying data when performing subsequent searches based on user queries associated with the business category code, Dunworth necessarily cannot describe or suggest searching the stored business category codes based on a received query, as also recited in amended independent claim 41.

For at least these reasons, Applicant respectfully requests reconsideration and withdrawal of the rejection of independent claim 41, along with claims 42-48 that depend therefrom.

Independent claim 49 recites a computer program for performing a search of network accessible content in a manner corresponding to that of independent claim 41, and independent claim 57 recites a system that does the same. Accordingly, for the reasons noted above with respect to independent claim 41, Applicant requests reconsideration and withdrawal of the rejection of independent claims 49 and 57, along with claims 50-56 that depend from claim 49.

Applicant submits that all claims are in condition for allowance and requests allowance.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue, or comment, including the Office Action's characterizations of the art, does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment or cancellation of any claim does not necessarily signify concession of unpatentability of the claim

prior to its amendment or cancellation. Applicant reserves the right to prosecute the rejected claims in further prosecution of this or related applications.

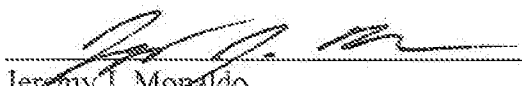
Pursuant to 37 CFR §1.136, Applicant hereby petitions that the period for response be extended for one month to and including June 1, 2007.

The fee in the amount of \$910.00 in payment of, the RCE fee (\$790) and the one-month extension of time fee (\$120) is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: _____

6/1/07



Jeremy J. Monaldo
Reg. No. 58,680

Fish & Richardson P.C.
1425 K Street, N.W.
11th Floor
Washington, DC 20005-3500
Telephone: (202) 783-5070
Facsimile: (202) 783-2331